

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TRAVIS LEE BERNARD and
TYLER JAMES BERNARD, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JODY LYNN VANETTEN,

Respondent-Appellant,

and

JEFFREY SCOTT BERNARD,

Respondent.

UNPUBLISHED

May 5, 2009

No. 287580

Muskegon Circuit Court

Family Division

LC No. 07-036209-NA

Before: Borrello, P.J., and Murphy and M.J. Kelly, JJ.

MEMORANDUM.

Respondent VanEtten appeals as of right from a circuit court order MCL 712A.19b(3)(c)(i),¹ (g), and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination had been proved by clear and convincing evidence. MCR 3.977(G); *In re Trejo Minors*, 462 Mich 341, 355; 612 NW2d 407 (2000). The children came into care in July 2007 because respondent abused crack cocaine and would disappear from home for days at a time. Respondent made little effort to take advantage of substance abuse treatment options provided to her, attending outpatient treatment only occasionally and rejecting inpatient treatment. She continued to disappear for days at a time and used cocaine throughout the year that the case was pending, undeterred even by an arrest for drug possession. Further, the trial court did not clearly err in

¹ The trial court cited § 19b(3)(c)(ii), apparently by mistake; its findings of fact comported with the circumstances necessary for termination under § 19b(3)(c)(i).

finding that termination was in the child's best interests. MCL 712A.19b(5). Therefore, the trial court did not clearly err in terminating respondent's parental rights. *Trejo, supra* at 356-357.

Affirmed.

/s/ Stephen L. Borrello

/s/ William B. Murphy

/s/ Michael J. Kelly